

Exhibit A

12-Person Jury

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DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL

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2019L004515

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STATE OF ILLINOIS

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) SS:

COUNTY OF COOK

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4844184

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

MARYANN WENDT

)

)

Plaintiff

)

)

v.

)

NO.

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)

2019L004515

JO-ANN STORES, LLC;

)

)

Defendants

)

PLAINTIFF'S COMPLAINT AT LAW

NOW COMES the Plaintiff, MARYANN WENDT, by her attorneys HORWITZ, HORWITZ AND ASSOCIATES, LTD., and complaining of the Defendant Jo-Ann Stores, LLC, alleges as follows:

1. That on or about July 4, 2018, and prior thereto, the Defendant(s) owned, possessed, managed, maintained, constructed, installed and controlled and/or had duty to possess, operate, manage, maintain, construct, install and control, both directly and indirectly, individually and through their agents, servants and employees, certain premises located at approximately 20 Countryside Plaza, in the City of Countryside, County of Cook and State of Illinois.

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2. That on or about July 4, 2018, and prior thereto, there was a firm or corporation other than Defendant(s) that owned, possessed, operated, managed, maintained and controlled and/or had a duty to possess, operate, manage, maintain and control, both directly and indirectly, individually and through their agents, servants and employees, certain premises that included a certain located at approximately 20 Countryside Plaza, in the City of Countryside, County of Cook and State of Illinois.
3. That on or about July 4, 2018, and prior thereto, there Defendant(s) contracted with a firm corporation that owned, possessed, operated, managed, maintained and controlled and/or had a duty to possess, operate, manage, maintain and control, both directly and indirectly, individually and through their agents, servants and employees, certain premises that included a certain located at approximately 20 Countryside Plaza, in the City of Countryside, County of Cook and State of Illinois.
4. That at aforesaid time and place, Plaintiff MaryAnn Wendt was an invitee at the aforementioned premises.
5. That the aforesaid Defendant(s) had a duty to exercise reasonable care for the safety of the Plaintiff.
6. That at the aforesaid time and place, the Defendant had a duty to comply with the Restatement (Second) of Torts§ 343 (1965) and each of its subparts.
7. That the aforesaid Defendant(s) were then and there guilty of one or more of the following acts and/or omissions:
 - a) Failed to place or operate said aisle in a safe, suitable and proper manner so as to give proper and adequate protection to the life and limb of any person or persons employed or engaged thereon

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- b) Failed to provide, erect or place the aforementioned aisle in a safe, suitable and proper manner so as to give adequate protection to the plaintiff and others similarly situated on or about the said store.
 - c) Created obstructions
 - d) Failed to adequately maintain the aisle;
 - e) Failed to place and/or maintain the aisle in a condition that was reasonably safe;
 - f) Allowed the floor to become slippery;
 - g) Allowed the floor to become sticky;
 - h) Utilized incorrect wax for commercial traffic;
 - i) Permitted aisle to be a tripping hazard.;
 - j) Placed merchandise in the walking area
 - k) Permitted conditions to exist that caused or contributed to cause the aisle to be a tripping hazard;
 - l) Failed to maintain the aforementioned aisle in a condition that was reasonably safe;
 - m) Failed to maintain the aisle with adequate frequency;
 - n) Failed to have a policy/ procedure to prevent the aforementioned a-m;
 - o) Failed to warn to prevent the aforementioned a-m;
8. That as a result of the aforementioned, Plaintiff fell and was injured.
9. That one or more of the aforesaid acts or omissions constituting legal misconduct of the Defendant(s) was a proximate cause of said occurrence and Plaintiff(s) personal injuries as hereinafter mentioned.
10. That as a direct and proximate result of one or more of the aforesaid acts and/or omissions of the Defendant(s), the Plaintiff then and there sustained severe and permanent injuries, both

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internally and externally, and was and will be in the future hindered and prevented in whole or in part from attending to usual duties and affairs, and has lost and in the future will lose, the value of that time, and has suffered a loss of earning capacity, as aforementioned.

Further, that the Plaintiff also suffered great pain and anguish both in mind and body, and will in the future continue to so suffer; the Plaintiff further expended and became liable for and will in the future expend and become liable for large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, the Plaintiff(s) demand judgment against the Defendant(s) in a dollar amount to satisfy the jurisdictional limitation of this court, and in such additional amounts as the Court shall deem proper, plus the costs of this action.

Clifford Horwitz

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